

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

AMERICAN UNIVERSITY OF  
ANTIGUA,

Plaintiff,

v.

HONORABLE PATRICK J. DUGGAN

No. 10-10978

STEVEN WOODWARD,

Defendant.

\_\_\_\_\_ /

MOTION FOR PARTIAL SUMMARY JUDGMENT

Detroit, Michigan -- Tuesday, September 20, 2011

APPEARANCES:

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- - -

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Motion for Partial Summary Judgment  
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**Detroit, Michigan**

**Tuesday, September 20, 2011**

**2:43 p.m.**

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**THE CLERK:** Civil action number 10-10978; American University of Antigua College of Medicine versus Steven Woodward.

**THE COURT:** Identify yourselves, for the record.

**MR. BUIKEMA:** Good afternoon, Your Honor. Eric Buikema, Cardelli, Lanfear & Buikema, along with my colleague, Paul Kittinger, on behalf of the plaintiff.

**MR. WOODWARD:** Steven Woodward, Your Honor, representing myself.

**THE COURT:** All right.

**MR. BUIKEMA:** It's my motion, Your Honor. May I proceed?

**THE COURT:** Proceed.

**Motion for Partial Summary Judgment**

**ARGUMENT BY MR. BUIKEMA**

**MR. BUIKEMA:** Judge, this is our Motion for Partial Summary Judgment. And let me begin by indicating that the defendant, Steven Woodward, publishes a website which, amongst other things, admittedly accuses my client of routinely and systematically committing fraud, falsifying students'

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1 grades, breaching contracts, disregarding students'  
2 civil rights, conspiring against its students, engaging  
3 in unethical practices, engaging with malicious  
4 intentions toward its students.

5 That it has academic advisers of a quote, unquote,  
6 "heinous nature". That its students are sexually  
7 assaulted. That its professors teach the wrong  
8 information. That it conspires and defrauds its  
9 students. That it commits criminal activities  
10 reportable to the FBI. And that it has colluded with  
11 St. Joseph Mercy Hospital to maliciously end his  
12 career.

13 That its agents and employers engaged in  
14 conspiracy. Abused its power. AUA committed perjury.  
15 That it is immoral and unethical. That its agents are,  
16 quote, unquote, "liars", and that this university is,  
17 for lack of a better term, a criminal, conspiratorial,  
18 and evil enterprise. That is the meaning of his  
19 website.

20 He claims that all of these representations are  
21 true. In fact, none of them are. We have submitted by  
22 way of verified complaint, as well as affidavit of the  
23 founder and president of AUA, an affidavit contesting  
24 that these appalling allegations are, in fact, not  
25 true.

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1           Let me talk about just a procedural aspect of this  
2           case which is the request for admissions that were  
3           served on Mr. Woodward on November 8th, 2010.

4           As the Court knows, request for admissions are an  
5           important tool for discovery and in the investigation  
6           of the prosecution of any action. They're intended to  
7           limit those items, which could be considered to be  
8           literally in dispute. And we used them early on in  
9           discovery, as is commonly the case, to limit our  
10          investigation and make it more efficient as to  
11          discovering those items which are legitimately in  
12          dispute.

13          Mr. Woodward did not respond to those requests for  
14          admissions. Those requests for admissions, by the  
15          rule, are therefore deemed admitted. He did not  
16          respond in 30 days. In fact, he did respond, at one  
17          point, March 24th, 2011, more than four months after  
18          they were served and without leave of the Court to file  
19          late responses. That matter is only for two elements  
20          of our defamation claim.

21          Even if you were to accept his late filed  
22          responses to request for admissions, all of the things,  
23          the laundry list of items his website publishes, as if  
24          fact about this university, he admits to publishing.  
25          Even under the late filed request for admissions, all

1           those items are admitted.

2           The history, in this case, in terms of discovery  
3           is, let's say, difficult. Mr. Woodward is not  
4           represented by counsel. I have urged the Court to,  
5           nonetheless, hold him to the same standard as if he  
6           were because to not do so prejudices my client's right  
7           and its ability to prosecute the case and do so  
8           efficiently.

9           Mr. Woodward has even declined the invitation and,  
10          in fact, appointment of a pro bono counsel. It's time  
11          we start holding him to the rules. Those rules require  
12          service of response to request for admissions within 30  
13          days or there is a direct consequence deemed admitted.  
14          I'm entitled to rely upon those items that were deemed  
15          admitted and did not conduct discovery on those items  
16          that were not in dispute as a result.

17          He, rather than respond to the request for  
18          admissions timely, filed three motions for protective  
19          order trying to obscure different avenues of discovery,  
20          including his deposition, all three of which were  
21          denied.

22          The Court heard arguments on our Motion to Compel.  
23          We brought a Motion to Compel on his responses to  
24          interrogatories and responses to request for production  
25          which were not provided within the time limits provided

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1 by the rule and that was heard on December 22nd, 2010,  
2 many months again after -- many weeks after they were  
3 due and Mr. Woodward appeared, at that time, with this.

4 When he did ultimately file responses to request  
5 for admissions, he did not deny request number 38 or --  
6 excuse me, lost the last page. He did not deny request  
7 number 38 or 37. Thirty-seven meaning, and in response  
8 to that laundry list of things he's published as if  
9 fact about this University's ugly allegations, "If you  
10 published all those statements outlined in those  
11 proceeding requests, for each, please admit that you  
12 knew the statements were false when published."

13 Thirty-eight, "Please, admit that you had no  
14 knowledge regarding the truth or falsity of the  
15 statement when you published it." There is,  
16 consequently, because those two requests are deemed  
17 admitted under the rule, no genuine issue of material  
18 fact as to the per se defamatory comments, publications  
19 made in his website about my client.

20 And even if, Judge, you were to excuse the late  
21 filing of the request for admission responses, he still  
22 didn't deny those items. What he did is offer the  
23 following responses to 37, "Object. Compound  
24 statement."

25 **THE COURT:** What was item number 37?

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1           **MR. BUIKEMA:** Thirty-seven is, "Please, admit that  
2           you knew these statements were false when published."  
3           These statements referencing items 14 through 25, which  
4           is the laundry list of appalling remarks I started  
5           with.

6           **THE COURT:** You said, "Admit that 14--", through  
7           what?

8           **MR. BUIKEMA:** Fourteen through 25, the earlier  
9           request that you knew -- you knew they were false when  
10          you published them. "Them", being AUA commits fraud.  
11          AUA commits crimes. AUA's students are sexually  
12          assaulted, et cetera, et cetera.

13          **THE COURT:** Where is number 37? Your number 37  
14          asking to admit earlier statements?

15          **MR. BUIKEMA:** Yes. To be clear, request 14  
16          through 25, request such things as, for example, number  
17          16, "Please, admit that you published statement that  
18          AUA breaches contracts."

19          **THE COURT:** I understand what those are.

20          **MR. BUIKEMA:** And then the catch-all provision as  
21          to, "Were these false when you published them", is  
22          request number 37. The catch-all provision under  
23          number 38 is, "Admit that you had no knowledge as to  
24          the truth or falsities of these remarks."

25          **THE COURT:** Still talking about 14 through 25?



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1           **MR. BUIKEMA:** I am.

2           **THE COURT:** Thirty-seven and 38 deal with that?

3           **MR. BUIKEMA:** They do.

4           **THE COURT:** And did you say, when he finally  
5 responded, he admitted those two?

6           **MR. BUIKEMA:** His response to -- he admitted the  
7 earlier laundry list of items that he published all of  
8 those things. And his response, four months later,  
9 after they're already deemed admitted and without leave  
10 to the Court to 37 and 38 is, quote, unquote, "Object.  
11 Compound statement."

12           You know the requirements under the rule, Your  
13 Honor. The party responding to request for admissions,  
14 even at that late date, even for to excuse that, even  
15 for failure to seek leave, even for failure of excuse  
16 his ignorance of the law and the rules and everything  
17 else, he doesn't respond. He does not admit or deny,  
18 which we're absolutely required to do under Rule 36.  
19 The objection is improper.

20           And in the event, the responses deemed admitted  
21 and there is no triable issue as to defamation under  
22 56. Nor would there be, even if we were to ignore the  
23 entire, quote, unquote, "procedural issue".

24           **THE COURT:** And what do you say is deemed  
25 admitted? He's already admitted he published them,

1           what does 37 then, in your judgment, admit?

2           **MR. BUIKEMA:** Thirty-seven to 38 are deemed  
3           admitted as well by a function of Rule 36.

4           **THE COURT:** Admitted, what admitted?

5           **MR. BUIKEMA:** Admitted that all of those  
6           statements were false when published and/or were  
7           published without knowledge as to their truth or  
8           falsity. It's one or the other.

9           There's two elements under the defamation  
10          standard, as you know and let's just take 37. Let's  
11          focus on 37, "These statements were false when  
12          published." That fact is admitted, for purposes of  
13          this action.

14          Either under procedural operation of Rule 36 by  
15          his inappropriate objection and refusal to answer even  
16          later, and if you get pass that, Your Honor, even still  
17          there's no triable fact. There's no credible evidence,  
18          in this case, to suggest, for instance, that my client  
19          committed perjury that --

20          **THE COURT:** Hold on. You said that he admitted  
21          that they're false or something else?

22          **MR. BUIKEMA:** Yes.

23          **THE COURT:** Or what?

24          **MR. BUIKEMA:** That -- he admits that they're false  
25          under 37.

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1           **THE COURT:** Is that what 37 said? That's all it  
2           said?

3           **MR. BUIKEMA:** Yes, false, falsely made.

4           **THE COURT:** What's the wording there for 37?

5           **MR. BUIKEMA:** I'll read it to you, Your Honor,  
6           request to admit number 37 states in its entirety:

7           "If you admitted that you published any of the  
8           statements outlined in request 14 through 25 and 28  
9           through 36, for each, please admit that you knew the  
10          statements were false when published."

11          **THE COURT:** That's 37?

12          **MR. BUIKEMA:** That's 37.

13          **THE COURT:** Okay. And what's 38?

14          **MR. BUIKEMA:** Thirty-eight reads, "If you admitted  
15          that you published any of the statements outlined in  
16          request 14 through 25 and 28 through 36, for each,  
17          please admit that you had no knowledge regarding the  
18          truth or falsity of the statement when you published  
19          it."

20          And again, those are -- the publications are  
21          admitted, in any event, those are admitted by  
22          application of the rule and even if we get passed all  
23          this, Judge, there still is no triable issue.

24          Note that all of these claims, at least the vast  
25          bulk of these claims relate to Mr. Woodward's

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1 dissatisfaction at the university while he was tendered  
2 as a student there and discharged disfavorably from the  
3 program.

4 He then brought a lawsuit in State Court having to  
5 do with exactly all those claims. Specifically, let's  
6 take an example, that AUA breached some contract with  
7 him. That Circuit Court, Shalina Kuma in Oakland  
8 County Circuit Court said, "No, Mr. Woodward, you have  
9 no case. Your allegations are without merit", and  
10 dismissed it upon Motion for Summary Judgment. The  
11 Michigan Court of Appeals upheld that dismissal.

12 The law associated with his claims, now published  
13 in the website in the form of these complaints is such  
14 that AUA did not breach any contract with Mr. Woodward,  
15 that is the law. That is known to this case and it's  
16 known to this participant in that litigation that he's  
17 still making those claims in his website. They are  
18 false, as a matter of law.

19 There is, for example, what he's referencing in  
20 terms of, quote, unquote, "perjury" committed by AUA  
21 representatives is, as if fact, is his opinion that  
22 they, well, must have lied during that Oakland County  
23 Circuit Court case during their depositions and that  
24 they committed perjury. There's no such finding.  
25 There's no such evidence.

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1           There's nothing to support that beyond his own,  
2           frankly, disturbed conspiracy theories and imaginations  
3           to manufacture some reason why he should not be held  
4           accountable for his dismissal from the university that  
5           somehow it's someone else's fault.

6           It's time for this Court to let Mr. Woodward know  
7           that he needs to take responsibility for his own  
8           actions and that he needs to move on with his life.

9           **THE COURT:** Okay. Response.

10       **RESPONSE BY MR. WOODWARD**

11           **MR. WOODWARD:** Your Honor, a very basic discovery  
12           material for a corporation is to produce --

13           **THE COURT:** Stop. Stop. Did anything counsel  
14           just said, is anything he just said incorrect?

15           **MR. WOODWARD:** Yes, sir.

16           **THE COURT:** All right. What is it?

17           **MR. WOODWARD:** One is I've been trying to do  
18           discovery with Mr. Buikema from the very beginning --

19           **THE COURT:** Stop. He didn't talk about discovery.

20           **MR. WOODWARD:** He has. Your Honor, he's said that  
21           I'm failing to provide him admissions.

22           **THE COURT:** Just now -- well, fine, isn't that  
23           true? You failed to file admissions?

24           **MR. WOODWARD:** That is not true. That is  
25           absolutely not true.

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1           **THE COURT:** Did you file it timely?

2           **MR. WOODWARD:** I had a motion for protection order  
3 and my understanding on motion for protection order,  
4 which was not held moot until December 22nd for written  
5 and verbal things because they were deleting evidence  
6 off of their website pertinent to this case and that  
7 was my motion for protective order and that was my  
8 motion for dismissal.

9           **THE COURT:** Did you file the answers timely?

10          **MR. WOODWARD:** I filed his answers per the Rule 36  
11 on a motion to the Court for a protective order and on  
12 December 22nd I brought that information to him.

13          **THE COURT:** What are you saying Rule 36 says that  
14 allowed you not to file these timely?

15          **MR. WOODWARD:** I motioned --

16          **THE COURT:** Motioned to do what?

17          **MR. WOODWARD:** Protective order.

18          **THE COURT:** For what?

19          **MR. WOODWARD:** For written and verbal information  
20 for him.

21          **THE COURT:** What's that have to do with the  
22 requirement you respond to request for admissions in a  
23 timely fashion? The rule is explicit.

24          **MR. WOODWARD:** The rules on motion for protective

25          --

1           **THE COURT:** That's a different issue. We're  
2           talking about the admissions. Request for admissions.  
3           You have so much time to file it, you didn't do it.

4           **MR. WOODWARD:** I had a motion for protective order  
5           against that.

6           **THE COURT:** What's that got to do with the  
7           admissions? What did the protective order ask for?

8           **MR. WOODWARD:** The protective order asked for a  
9           written and verbal protection from discovery from Mr.  
10          Buikema.

11          **THE COURT:** That's not discovery, request for  
12          admissions.

13          **MR. WOODWARD:** It's under the rule of discovery.

14          **THE COURT:** Did it -- did the motion ask  
15          specifically for additional time in which to respond to  
16          the request for admissions?

17          **MR. WOODWARD:** It said written and verbal or --

18          **THE COURT:** Let's try it again. Did the motion --

19          **MR. WOODWARD:** It did not specifically say for  
20          written admissions.

21          **THE COURT:** Then you didn't ask him to extend the  
22          time for that. So, you didn't file them timely, then  
23          they're deemed admitted.

24          **MR. WOODWARD:** Under my understanding of a  
25          protective order, I did.

1           **THE COURT:** Protective order is protective order  
2           for what and I just asked you did the protective order  
3           ask directly --

4           **MR. WOODWARD:** Not specifically for admissions.

5           **THE COURT:** Counsel -- sir, then you didn't ask to  
6           even request additional time to respond.

7           **MR. WOODWARD:** I asked for a protective order  
8           against discovery from this man totally.

9           **THE COURT:** I'm not talking about discovery at  
10          all. I'm talking about a specific rule, you knew that  
11          you had to respond, you didn't ask for additional time  
12          to respond. You filed motions all over the place. You  
13          never asked for additional time, giving a reason why  
14          you would need time to respond, you just didn't  
15          respond.

16          **MR. WOODWARD:** No, that's not true, sir, I did  
17          respond and I --

18          **THE COURT:** When?

19          **MR. WOODWARD:** I tried to confer with this client.  
20          His motion for compel is totally wrong.

21          **THE COURT:** I'm not on a motion to compel.

22          **MR. WOODWARD:** I know, it's on a motion under  
23          discovery under a motion of admissions.

24          **THE COURT:** It's a request for admissions.

25          **MR. WOODWARD:** Correct, under discovery.



1           **THE COURT:** I'm not saying whether it's under  
2           discovery or not, it's a specific rule.

3           **MR. WOODWARD:** Correct, Rule 36.

4           **THE COURT:** That deals with request for admissions  
5           and it spells out what you have to do.

6           **MR. WOODWARD:** Correct.

7           **THE COURT:** You have so much time to answer them.

8           **MR. WOODWARD:** Correct.

9           **THE COURT:** Or they'll be deemed admitted.

10          **MR. WOODWARD:** Correct.

11          **THE COURT:** You didn't do it.

12          **MR. WOODWARD:** I tried to tell him that I was  
13          going to bring this stuff on the 22nd. I submitted a  
14          motion for protective order against this case.

15          **THE COURT:** Not with respect to the request for  
16          admissions.

17          **MR. WOODWARD:** Written and verbal.

18          **THE COURT:** No, you didn't.

19          **MR. WOODWARD:** It's specifically in there --

20          **THE COURT:** Show me the motion for protective  
21          order that deals with the request for admissions.

22          **MR. WOODWARD:** It doesn't specifically say --

23          **THE COURT:** Well, then I don't need to see it  
24          because you didn't ask for additional time. You just  
25          plain didn't respond and you read the rule. You knew

1           that you had to do it within so many days, you didn't  
2           do it.

3           **MR. WOODWARD:** That's not how I see it, Your  
4           Honor, and that's not true.

5           **THE COURT:** It may not be how you see it, that's  
6           what the rule says, isn't it?

7           **MR. WOODWARD:** I filed a motion for protection  
8           against these guys.

9           **THE COURT:** Counsel, you can file protection about  
10          all different things, that hasn't got anything to do  
11          with this. If you had wanted to be relieved of the  
12          obligation to timely file a response, that's what you  
13          say, "I need additional time", you explain why, et  
14          cetera. You didn't do that. You just plain didn't  
15          respond and you could have responded.

16          **MR. WOODWARD:** That is not true. What he's saying  
17          about me not giving him these admissions is totally  
18          untrue.

19          **THE COURT:** You didn't submit them timely, did  
20          you?

21          **MR. WOODWARD:** Sir, I was under --

22          **THE COURT:** Let me try the question again, you  
23          didn't submit them timely, did you?

24          **MR. WOODWARD:** I had a motion for protective order  
25          against them.

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1           **THE COURT:** Let me try again. You didn't submit

2           --

3           **MR. WOODWARD:** I did not submit them on  
4           December 8th.

5           **THE COURT:** You didn't submit the responses to  
6           request for admissions as required by the rule, did  
7           you?

8           **MR. WOODWARD:** I did not.

9           **THE COURT:** Boy, it takes a lot. Okay.

10          **MR. WOODWARD:** Under my understanding --

11          **THE COURT:** Counsel, I don't care about your  
12          understanding, okay, the rule says what the rule says.

13          **MR. WOODWARD:** Okay.

14          **THE COURT:** And you didn't file.

15          **MR. WOODWARD:** I didn't file it.

16          **THE COURT:** You could have answered them.

17          **MR. WOODWARD:** What's that?

18          **THE COURT:** You could have responded, couldn't  
19          you?

20          **MR. WOODWARD:** At that particularly time I needed  
21          some information.

22          **THE COURT:** Really?

23          **MR. WOODWARD:** I did.

24          **THE COURT:** To know whether or not these were  
25          true? You made the statements.

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1           **MR. WOODWARD:** I had them filled out.

2           **THE COURT:** Had what filled out?

3           **MR. WOODWARD:** The admissions.

4           **THE COURT:** "Filled out", what does that mean?

5           **MR. WOODWARD:** Whatever. No, I did not file them  
6 on December 8th, no. And I had them on December 22nd  
7 of which I told him -- matter of fact, the motion for  
8 dismissal and the motion for protective order, you  
9 didn't even rule on it until December 16th.

10           **THE COURT:** Counsel, I'm not on any protective  
11 order and motion.

12           **MR. WOODWARD:** These were all motions to protect  
13 me against discovery against him. And did it  
14 specifically say, "Admissions"? Your Honor, no, it did  
15 not specifically say, "Admissions". It said, "Written  
16 and verbal discovery", from me.

17           **THE COURT:** Why shouldn't you have responded to  
18 the request for admissions?

19           **MR. WOODWARD:** I thought my protective order would  
20 have.

21           **THE COURT:** Why should you get a protective order  
22 from it?

23           **MR. WOODWARD:** Because he was deleting things off  
24 of his website and evidence.

25           **THE COURT:** What does that have to do with --

1           **MR. WOODWARD:** If you want to know why I filed  
2 that order, that's why I filed that order.

3           **THE COURT:** What order?

4           **MR. WOODWARD:** Or motion, that's why I filed those  
5 motions.

6           **THE COURT:** Why couldn't you answer the request  
7 for admissions? You could have.

8           **MR. WOODWARD:** You know, and I did. I just filed  
9 them on December 22nd. I brought them with me like I  
10 said I would try to bring everything else with me.

11           I think this is extremely bias. You're attacking  
12 me for admissions and this man admits to not even  
13 giving me my student records.

14           **THE COURT:** We'll talk about that. Don't compare  
15 apples and oranges. I didn't say we won't deal with  
16 these other things, but one doesn't deal with the  
17 other.

18           **MR. WOODWARD:** Okay. Under my understanding, I  
19 was under the impression that it did and I thought a  
20 motion for protective order would protect me.

21           **THE COURT:** It might, provided the protective  
22 order ask for some specific things.

23           **MR. WOODWARD:** Written and verbal --

24           **THE COURT:** That's too vague.

25           **MR. WOODWARD:** I'm sorry, that's what I wrote.

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1           **THE COURT:** That's too vague. That's fine.

2           **MR. WOODWARD:** Okay. If that's the case, that's  
3 what I wrote, then that's my pleading on that, Your  
4 Honor.

5           **THE COURT:** Okay. So, you've admitted all these  
6 things?

7           **MR. WOODWARD:** I did not file it on December 8th,  
8 no, I did not.

9           **THE COURT:** When did you file it?

10          **MR. WOODWARD:** I brought it with me on  
11 December 22nd.

12          **THE COURT:** What do you mean you brought it with  
13 you, did you ever submit it?

14          **MR. WOODWARD:** Your Honor, yes, I brought it on  
15 December 22nd. I told Judge Hluchaniuk that I was  
16 going to give it to him. It was there present and he  
17 just refused to ever take it.

18          **THE COURT:** Did you ever file it?

19          **MR. WOODWARD:** File admissions?

20          **THE COURT:** Sure.

21          **MR. WOODWARD:** Turn it into the County Court?

22          **THE COURT:** Yes.

23          **MR. WOODWARD:** No, I brought it with me to court,  
24 I said, "Here it is, sir, take it."

25          **THE COURT:** Why didn't you file it?

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1           **MR. WOODWARD:** Discovery material, can you submit  
2           discovery material? They wouldn't take my, what was it  
3           that I filed that they wouldn't take? They wouldn't  
4           take my discovery material.

5           **THE COURT:** Some material you can't because it's  
6           so voluminous. In any event, the request for  
7           admissions were never submitted. You had them with you  
8           and you wanted to submit it and that was on what date?

9           **MR. WOODWARD:** Had it with me? I told Judge  
10          Hluchaniuk that I had them with me, he agreed he would  
11          take them and he walked out of the courtroom. I have  
12          his deposition or the transcript that show it.

13          **THE COURT:** Okay. So, you had them on the 22nd?

14          **MR. WOODWARD:** I had them on the 22nd.

15          **THE COURT:** You offered them to him?

16          **MR. WOODWARD:** I offered it to him.

17          **THE COURT:** He wouldn't take it?

18          **MR. WOODWARD:** He agreed he would take them and he  
19          walked out. And last, on August 11th, he told you he  
20          refused to take it because he said all this stuff is  
21          voluminous.

22                 Sir, these are his requests. Sir, these are his  
23                 requests, if I may give you these? These are his  
24                 requests, "Please, produce any and all documentation  
25                 and evidence you intend to rely upon in trial and

1       establish the following claims." "Please, produce any  
2       and all exhibits, tangential things and any addendum,  
3       amendments to Rule 26." These are -- he's asking for  
4       all of my documentation.

5               That 2,600 pages, sir, this is exactly the copy of  
6       2,600 pages as you can get. This is an exact copy of  
7       it. Why is this an exact copy of it? Because of my  
8       ignorance of the law. I tried to turn this in to the  
9       Court -- these are my receipts -- I tried to turn this  
10      in to the Court and so I made a duplicate copy that  
11      cost me \$246, it included collating and hand-stapling.

12              And it says right here exactly how many copies,  
13      there are 2,605 copies. It's 2,605 copies of which he  
14      requested, are collated, hand-stapled, exact duplicates  
15      of what I gave him.

16              This documentation here, sir --

17              **THE COURT:** What does this have to do with what  
18      we're talking about?

19              **MR. WOODWARD:** Well, I'm going to tell you, sir.

20              **THE COURT:** Well, do it. You're going to be done  
21      in just a few minutes because --

22              **MR. WOODWARD:** Okay, sir. This information here  
23      is information I had to have notarized because it's  
24      information that they couldn't take and modify --

25              **THE COURT:** What does this got to do with what



1 we're dealing with here?

2 **MR. WOODWARD:** He's saying that I did not try to  
3 give him discovery.

4 **THE COURT:** No, right now he's saying you didn't  
5 file your request for response on time.

6 **MR. WOODWARD:** I didn't file it, I brought it on  
7 December 22nd like I tried to tell him I was going to  
8 bring it every time. On 12-16, after you filed a  
9 motion against --

10 **THE COURT:** I didn't file any motion.

11 **MR. WOODWARD:** Your order, your order for  
12 dismissal, which is on the 16th, I told him in an  
13 email, which I have right here, that I would bring that  
14 information to him. This is on the 16th, the day that  
15 you ordered the dismissal removed.

16 I said, "Mr. Buikema, depending on the decision  
17 and order by Honorable Judge Michael Hluchaniuk--",  
18 there's my words, right there and it was copied to  
19 Ms. Orem, "--depending on the decision and order by the  
20 Honorable Judge Michael Hluchaniuk, please schedule a  
21 time after the December 22nd hearing to sign for,  
22 verify receipt and receive approximately 2,500 pages of  
23 my exhibits and Rule 26 discovery, my answers to your  
24 interrogatories, request for admissions and request for  
25 production. You will receive -- what you will receive

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1 depends on the order and decision of the Court."

2 **THE COURT:** Did Judge Hluchaniuk rule on your  
3 motion?

4 **MR. WOODWARD:** We agreed that it was moot because  
5 -- we agreed that it was moot.

6 **THE COURT:** Who is, "We"?

7 **MR. WOODWARD:** Judge Hluchaniuk --

8 **THE COURT:** Time out. "We agreed", who is we?

9 **MR. WOODWARD:** I can give you the exact --

10 **THE COURT:** Counsel, answer the question, who is  
11 "We"?

12 **MR. WOODWARD:** I think the exact quote is, "I  
13 guess this is moot now", according to the motion for  
14 protective order.

15 **THE COURT:** You said that to whom?

16 **MR. WOODWARD:** Judge Hluchaniuk.

17 **THE COURT:** Okay. And then --

18 **MR. WOODWARD:** On December 22nd.

19 **THE COURT:** So, then you said, "I'm going to  
20 produce all this stuff he wants"?

21 **MR. WOODWARD:** I've already produced it.

22 **THE COURT:** Listen to my question. Did you then  
23 say to Judge Hluchaniuk --

24 **MR. WOODWARD:** Yes.

25 **THE COURT:** Listen, did you say to him, "I'm going

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1 to produce all that's been requested"?

2 **MR. WOODWARD:** Not in those exact words; but yes.

3 **THE COURT:** Well, what kind of words did you use?

4 **MR. WOODWARD:** I said, "I brought all this  
5 information", and Judge Hluchaniuk said -- he  
6 encouraged Mr. Buikema to take the information. I have  
7 the exact transcripts of what was said.

8 **THE COURT:** Did you indicate that you were  
9 prepared to produce all that was requested?

10 **MR. WOODWARD:** Yes, sir.

11 **THE COURT:** And then how did Judge Hluchaniuk  
12 respond to that?

13 **MR. WOODWARD:** One moment, sir. He strongly  
14 encouraged Mr. Buikema to take this information and Mr.  
15 Buikema said, "I will." Here it is right here. Any  
16 documents that he requested, all of his answers to his  
17 interrogatories, all of his answers for his admissions,  
18 all of his documentation is here. It's there but I  
19 didn't address it -- this is Mr. Buikema, "It's there  
20 but I did not address it quite intentionally. It's not  
21 before us today."

22 The Court said, "It's not scheduled for today, I'm  
23 just noting the existence of it and Mr. Woodward is  
24 saying he intends to comply with that today. Whether  
25 that actually comes to pass, is another issue, which we

1 may address at a later time. But certainly I would  
2 invite Mr. Buikema to look at what Mr. Woodward has  
3 brought to court today and accept what he has and then  
4 make a determination of whether that satisfies your  
5 motion."

6 The next thing Judge Hluchaniuk asks him, it says,  
7 "It is certainly not unreasonable that you'll be able  
8 to inspect those documents today under the  
9 circumstances but if he has documents for you to take  
10 with you, I'll certainly encourage you to take those  
11 and assess the completeness of the production as soon  
12 as you possibly can."

13 Mr. Buikema says, "I will. Judge, would you like  
14 my office to prepare the written order?"

15 I brought them. He said he would on August 11th.  
16 He came right out and said that he refused to take the  
17 documentation and it's exactly what he wanted. That is  
18 what he asked for.

19 **THE COURT:** And I haven't heard today that he is  
20 complaining about not getting those other documents.  
21 The issue today is the request for admissions. He  
22 isn't complaining today that you didn't comply with  
23 this discovery or that discovery or whatever, that's  
24 not before me.

25 So, the fact that you provided, it was all

1 available, that's fine but it doesn't have anything to  
2 do with the issue today as to whether you submitted  
3 responses to request for admissions in a timely  
4 fashion.

5 **MR. WOODWARD:** There was a motion for dismissal.  
6 There was a motion for protective orders.

7 **THE COURT:** So what? There's all kinds of  
8 motions, what's that got to do with anything?

9 **MR. WOODWARD:** Even my emails to Mr. Buikema  
10 indicate that I was going to give him this information.  
11 I was trying to confer with him to give him this  
12 information on December 22nd.

13 **THE COURT:** You haven't told me yet why you didn't  
14 respond to the request for admissions on time.

15 **MR. WOODWARD:** Because he was deleting information  
16 off of his website.

17 **THE COURT:** The request for admissions were very  
18 precise. You had the ability to answer them.

19 **MR. WOODWARD:** And I had a motion for dismissal  
20 out there also.

21 **THE COURT:** You had an ability to answer them and  
22 you chose not to.

23 **MR. WOODWARD:** If that's how you want to see it,  
24 that's how you see it. I see it totally different.

25 **THE COURT:** That's how I have to deal with it

1           then.

2           **MR. WOODWARD:** Okay. If that's how you want to  
3           see it, I cannot argue with you on that. That's not  
4           how I see it. I had motions to a dismissal, I had  
5           motions to protective order specifically about verbal  
6           and written information against him. But if that's  
7           your ruling, then so be it.

8           **THE COURT:** We'll deal with the motions  
9           separately, if you have those, we'll deal with those.  
10          That has nothing to do with your obligations to submit  
11          your admissions.

12          **MR. WOODWARD:** I was under the impression that  
13          they didn't need to be submitted --

14          **THE COURT:** I have no idea where you get these  
15          impressions. Anything else you want to say in  
16          opposition to the Motion for Summary Judgment?

17          **MR. WOODWARD:** Yeah, if this is the case, a Motion  
18          for Summary Judgment on admissions, Mr. Buikema hasn't  
19          even produced my own student records.

20          **THE COURT:** Counsel, that doesn't have anything to  
21          do with this motion.

22          **MR. WOODWARD:** It does, Your Honor, because I mean  
23          this is about discovery for defamation claim.

24          **THE COURT:** Right.

25          **MR. WOODWARD:** Well, I think I should be able to

1 defend myself against these defamation claims.

2 **THE COURT:** Well, you had an opportunity to  
3 respond to the motion.

4 **MR. WOODWARD:** I did the best I could do on that.

5 **THE COURT:** Well, what is your defense to the  
6 motion?

7 **MR. WOODWARD:** I had a motion for dismissal --

8 **THE COURT:** What is your defense to their motion?

9 **MR. WOODWARD:** For what, the admissions?

10 **THE COURT:** No, defamation.

11 **MR. WOODWARD:** What I'm saying is true.

12 **THE COURT:** What do you mean what you're saying?

13 **MR. WOODWARD:** What I say on my website is true.  
14 They say, and they're -- in docket one, number 55, they  
15 claim that everything in their list is totally lies.  
16 He comes right up and he says, "Mr. Woodward says that  
17 students are sexually assaulted", and yet on April 19th  
18 he admitted that one of their students were sexually  
19 assaulted.

20 **THE COURT:** Stop. Time out. It's one thing, "the  
21 students are"; now we have, "a student".

22 **MR. WOODWARD:** And it was and I only say, "a  
23 student."

24 **THE COURT:** No, you said, "Students", didn't you?

25 **MR. WOODWARD:** I did not.

1           **THE COURT:** Never?

2           **MR. WOODWARD:** Matter of fact, his own discovery  
3 information --

4           **THE COURT:** Are you telling me that your website  
5 never said, "Students"?

6           **MR. WOODWARD:** Not to my knowledge, no.

7           **THE COURT:** Don't say, "Not to my knowledge."

8           **MR. WOODWARD:** No, it does not.

9           **THE COURT:** Okay. What other defense do you have  
10 to the defamation?

11           **MR. WOODWARD:** What other defense do I have?  
12 Well, obviously he's a liar because that right there is  
13 a lie.

14           **THE COURT:** What's a lie?

15           **MR. WOODWARD:** About students being sexually  
16 assaulted. His claim that --

17           **THE COURT:** You said, "students", again.

18           **MR. WOODWARD:** I'm paraphrasing what he said.  
19 He's claiming that's what I say. That is a total lie.  
20 That is a total lie.

21           **THE COURT:** What's a lie, that you didn't say it?

22           **MR. WOODWARD:** I did not say it, correct. That's  
23 a lie by two officers of the court, Neil Simon and this  
24 guy right here.

25           **THE COURT:** You said, "Students were assaulted"?



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1           **MR. WOODWARD:** I said, "An AUA student was  
2 sexually assaulted."

3           **THE COURT:** Okay.

4           **MR. WOODWARD:** I mean, I can give you the exact  
5 date.

6           **THE COURT:** No, I said that's fine.

7           **MR. WOODWARD:** Here it is right here.

8           **THE COURT:** No, that's fine. You're going to be  
9 running out of time in about five minutes.

10           **MR. WOODWARD:** Let's go with the Lanham Act. He's  
11 claiming that I violated trademark. Impossible. I  
12 would have to be in medical school to violate the  
13 Lanham Act. To violate the Lanham Act, I would have to  
14 be -- in his own business, I would have to be in his  
15 own business.

16           And according to their own Michigan Court laws in  
17 the Eastern District would be Taubman Company versus  
18 Webfeats. I mean, I am non-commercial. My site is  
19 totally non-commercial. It's totally first amendment  
20 and that completely is exclusionary from any Lanham  
21 Acts. You agreed to that in your own statements on  
22 April 19th; and yet, this guy has been attacking me for  
23 a year and a half on this issue. "It doesn't seem the  
24 Lanham Act has any merit at all", that's your quote.

25           And the case study to back it up are right here,

1 the Lanham Act. I mean, no commercial speech is bound  
2 by Lanham Act or trademark law and is guaranteed  
3 complete and full and first amendment protection. And  
4 there's two case studies here in Michigan, it's Lucas  
5 Nursery & Landscaping versus Grosse and the Taubman  
6 Company versus Webfeats.

7 His whole trademark violation, anticybersquatting,  
8 that's another lie. That's a conspiracy to commit a  
9 first amendment civil rights against me. He's trying  
10 to refuse me my first amendment freedom of speech.  
11 He's trying to take away my website under a lie. Two  
12 officers of the court, him and Neil Simon, that's  
13 another lie that they've committed against me.

14 Let's go to FERPA rules, you want another lie?  
15 FERPA. Here's FERPA, I'm a whistleblower. I admit  
16 that I found over 150 students' names and their grades.  
17 He admits that there's 150 plus -- he admits that I've  
18 shown these grades, that I've disclosed them.

19 Who's the guilty party? Me, that I contacted the  
20 department of education and these students or him who's  
21 trying to silence me and say, "Oh, this never worked,  
22 Mr. Woodward is a liar"? Here they are, he's admitted  
23 to them that those contained grades. I'm the  
24 whistleblower, he's the robber. He's the one that  
25 disclosed them to me, I wouldn't have them.

1 To back it up, I've asked for him to produce  
2 discovery, Rule 34 discovery, everything in here that's  
3 marked in blue are requests for my personal student  
4 records, he's produced nothing. Zero.

5 **THE COURT:** How are your personal records relevant  
6 to the issues, in this case?

7 **MR. WOODWARD:** Oh my God, because I'm claiming  
8 that they committed perjury in these courts and they  
9 have. You want to know perjury in these courts?

10 **THE COURT:** Let me try my question again. Listen  
11 to the question. How are your grades relevant to the  
12 issue in this case?

13 **MR. WOODWARD:** Because they falsified them. They  
14 changed my grades.

15 **THE COURT:** What's that got to do with this case?

16 **MR. WOODWARD:** Because he's saying his defamation  
17 claim against me is they do not falsify student's  
18 grades and they absolutely do falsify student's grades.  
19 They falsify student's grades so they can tell courts  
20 like this that they don't do it, that I am this evil  
21 person and that is so untrue. Falsified their  
22 defamation claims, AUA falsifies students grades,  
23 they're saying that they don't. They absolutely do.

24 **THE COURT:** Did they falsify your grades?

25 **MR. WOODWARD:** Yes.

1           **THE COURT:** Is that what you're saying?

2           **MR. WOODWARD:** Yes, and everybody in that whole  
3 class.

4           **THE COURT:** Stop. Tell me about the falsification  
5 of your grades. How did they do it? When did they do  
6 it?

7           **MR. WOODWARD:** On December 20th.

8           **THE COURT:** What year?

9           **MR. WOODWARD:** This would be 2007.

10          **THE COURT:** All right.

11          **MR. WOODWARD:** These are my grades. These are  
12 everybody's grades?

13          **THE COURT:** Counsel, listen to my question, I only  
14 asked you about yours, so don't go into everybody.

15          **MR. WOODWARD:** Okay. I earned an 80 percent in  
16 that class, they gave me an "F".

17          **THE COURT:** So, why is that -- is that what you  
18 mean by falsifying?

19          **MR. WOODWARD:** No, they said, "Failed final exam.  
20 Didn't take remedial and failed." That's a total lie.

21          **THE COURT:** Okay. Tell me what the true facts  
22 are.

23          **MR. WOODWARD:** Here are those true facts that --

24          **THE COURT:** Just tell me.

25          **MR. WOODWARD:** Okay. I actually got an 88 percent

1 on that test that I redid and I had to redo it because  
2 their software application is such a piece of junk, it  
3 didn't grade the test.

4 **THE COURT:** Let's try it again without all the  
5 other stuff, answer the question. What grade did they  
6 falsify of yours?

7 **MR. WOODWARD:** What grade did they falsify?

8 **THE COURT:** I thought you said they falsify  
9 grades.

10 **MR. WOODWARD:** These are the final grades, I think  
11 from an 80 percent to an "F" is pretty much fraud.

12 **THE COURT:** No, is it false?

13 **MR. WOODWARD:** It is false.

14 **THE COURT:** It's in correct, in your judgment, but  
15 what's false about it?

16 **MR. WOODWARD:** Okay. You want something else  
17 false about it? They guaranteed us a ten percent curb  
18 here for this final written exam, they gave us four but  
19 they gave this guy five.

20 **THE COURT:** Let's try the question, the question  
21 is, "falsifying grades", that's what you said. And you  
22 said they falsified my grades and I'm asking you  
23 specifically, tell me when and how did they falsify  
24 your grades? I'm not asking you whether you got the  
25 grade you deserved, I'm asking whether they falsified

1           it or not.

2           **MR. WOODWARD:** This comment right here is exactly  
3           what I'm telling you, "He failed final exam. Didn't  
4           take remedial and failed", is totally a lie.

5           **THE COURT:** You didn't fail the final exam?

6           **MR. WOODWARD:** I did not fail that final exam, no,  
7           I did not. I did not fail that final exam, sir. But  
8           they did the same thing to everybody else's grades --

9           **THE COURT:** I said don't go into everybody else,  
10          we've got to focus on you.

11          **MR. WOODWARD:** Here's another one, you want  
12          another one that ties directly to this? Shelf exams.  
13          Shelf exams are to be used for final --

14          **THE COURT:** Does this got to do with your falsify  
15          grade of you?

16          **MR. WOODWARD:** Yes, it does.

17          **THE COURT:** Well, tell me about that, don't go  
18          into everything in the world.

19          **MR. WOODWARD:** They claimed that they give these  
20          exams as final exams, we pay for these final exams and  
21          they didn't give them to us. We can pass this course  
22          if they would give us the tests, but they didn't give  
23          them to us.

24          **THE COURT:** What does that have to do with  
25          falsifying your grade?

1           **MR. WOODWARD:** Because I would have an opportunity  
2 to go ahead and pass this class if they didn't commit  
3 fraud against me.

4           **THE COURT:** Oh, that's a different issue, that's  
5 not falsifying a grade. They may have treated you  
6 unfairly but that's not falsifying a grade.

7           **MR. WOODWARD:** How do you get from an 80 to an "F"  
8 if that's not falsifying a grade?

9           **THE COURT:** That may be an incorrect grade but if  
10 you got an "F" and they said you've got an "F".

11           **MR. WOODWARD:** Sir, they used that information  
12 right there against me. That was issued to me, that  
13 was sent to me via email and by U.S. mail and they used  
14 that in court documents, Oakland County Court  
15 documents, to influence the Judge: "Barely hanging on  
16 to medical school having failed three courses,  
17 accumulated the score, GPA, Mr. Woodward received an  
18 "F" in the fifth semester." That's information they  
19 gave to a Judge after they falsified my grades.

20           **THE COURT:** What happened in the Oakland County  
21 case?

22           **MR. WOODWARD:** They totally ruled against me.

23           **THE COURT:** Okay.

24           **MR. WOODWARD:** Plaintiff later notice he received  
25 an "F" -- I mean, all these documents that they

1 submitted to Oakland County they -- "Plaintiff washed  
2 out", that's the first page that they sent to the  
3 Judge, which is a total lie.

4 **THE COURT:** I'm not going back into that case, I  
5 have to accept what that Judge ruled.

6 **MR. WOODWARD:** It's evidence of perjury.

7 **THE COURT:** Don't you agree?

8 **MR. WOODWARD:** Heck no.

9 **THE COURT:** You don't agree I have to accept --

10 **MR. WOODWARD:** You can do whatever you want. Do I  
11 think it's fair? No, I don't think it's fair.

12 **THE COURT:** Time out. I can't do whatever I want,  
13 okay.

14 **MR. WOODWARD:** In this court you can.

15 **THE COURT:** No, I can't. I have to accept the  
16 State Court judgments, I have to accept them, that's  
17 the rule. You may not like it, but that's the rule.

18 Anything else you want to say in opposition for  
19 Motion for Summary Judgment?

20 **MR. WOODWARD:** Do you want me to defend every  
21 single one of these lies that they've been telling the  
22 Court?

23 **THE COURT:** Not necessarily. What other defense  
24 do you have? You filed a response, right?

25 **MR. WOODWARD:** I did file a response.



1           **THE COURT:** Okay.

2           **MR. WOODWARD:** "Patient logs" -- well, let's hold  
3 off -- here's a really good one, I love this one. This  
4 one gives you what kind of lies this guy produces,  
5 okay. In Michigan Court I'm now considered a sabatore,  
6 this is a court order, sabotaging exams over something  
7 that's so insignificant it's like a Sunday crossword  
8 puzzle.

9           **THE COURT:** What does this got to do with it?  
10 What are we talking about?

11           **MR. WOODWARD:** This has to do with my defamation  
12 claim -- all their defamation claims.

13           **THE COURT:** Go slow. Is this one of the claims  
14 that they say you stated was false?

15           **MR. WOODWARD:** This is one of the claims that I  
16 state on my website to show what they produced the  
17 Court.

18           **THE COURT:** Are they claiming constant defamation  
19 or not?

20           **MR. WOODWARD:** It would be disregard for civil  
21 rights, yes.

22           **THE COURT:** Why are you going into that particular  
23 claim? Which one of the claims do you claim that  
24 supports your claim?

25           **MR. WOODWARD:** "Routinely commits fraud upon its

1 students", would be disregard for students civil  
2 rights --

3 **THE COURT:** Hold on. What number for request for  
4 admission would that be?

5 **MR. WOODWARD:** These are all of their claims for  
6 their depositions, pursues unethical or other unethical  
7 practices, malicious intentions and heinous nature.

8 For God's sake, medical school is so hard, 300 to  
9 400 doctors kill themselves each year; fifty percent of  
10 medical students are suffering from burnout in the  
11 United States according to their own clinic research;  
12 and ten to 11 percent want to commit suicide. And you  
13 think that I don't have -- I'm upset over this?

14 **THE COURT:** I'll not concerned about being upset  
15 at all.

16 **MR. WOODWARD:** Do you think --

17 **THE COURT:** I'm not concern whether you like the  
18 university or you don't. I'm not concerned whether  
19 you're upset or not. I'm concerned with the facts and  
20 the rules. And so far we've determined that you've  
21 admitted these statements by failing to deny them in a  
22 timely fashion.

23 **MR. WOODWARD:** So, I admit that I published that  
24 stuff on the website, I admit it. How's that? I admit  
25 that I publish the stuff on the website. Is it true?

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1 Heck yeah, it's true. I mean, now I'm a sabatore in  
2 court because of this lie by Susan.

3 **THE COURT:** Wait a minute, who said you're a  
4 sabatore in court?

5 **MR. WOODWARD:** He does. I am now -- I sabotage  
6 exams.

7 **THE COURT:** I didn't hear him say that.

8 **MR. WOODWARD:** He's the one that prosecuted this  
9 case, there's the order against me.

10 **THE COURT:** What evidence do you have that they  
11 breached contracts?

12 **MR. WOODWARD:** Evidence of breach of contracts?

13 **THE COURT:** Just give me one example, that's all I  
14 want.

15 **MR. WOODWARD:** One example would be rotations --  
16 I'll give you two, rotations and medical fraud.  
17 Contracts for medical fraud.

18 **THE COURT:** Did you address these in your response  
19 brief, tell me exactly --

20 **MR. WOODWARD:** I don't recall, I gave you a brief  
21 that thick.

22 **THE COURT:** That's the bad thing, keep it down to  
23 precisely. What evidence do you have that they  
24 committed criminal activities reportable to the FBI?

25 **MR. WOODWARD:** On Docket 51 filed on November 8th;

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1 Docket 56, the 19th; Docket 101; Docket 118; Docket 120  
2 and 139.

3 **THE COURT:** What is all that?

4 **MR. WOODWARD:** Those are dockets that I filed with  
5 this court.

6 **THE COURT:** Listen to my question.

7 **MR. WOODWARD:** All right. I'm going to show you.

8 **THE COURT:** I don't want to hear docket numbers, I  
9 want you to tell me, in plain English --

10 **MR. WOODWARD:** Sallie Mae has no records that I  
11 ever went to American University of Antigua; and yet,  
12 the information submitted by their own dean of student  
13 services, Mr. Barry, filed two notifications under  
14 another school's heading to Sallie Mae and the office  
15 says this, "This letter is in response to your inquiry,  
16 assistance with an issue you're having with St. Joseph  
17 Mercy Oakland Hospital and American University of  
18 Antigua. I have researched your account and have  
19 confirmed that you have three Excel grad loans that are  
20 serviced by Sallie Mae. These loans are borrowed to  
21 finance your attendance through medical college, not  
22 American University of Antigua. Enclosed, please find  
23 copies of your promissory notes."

24 Sallie Mae has no information that I went to  
25 American University of Antigua.

1           **THE COURT:** So, what's the criminal activity  
2           that's reportable to the FBI?

3           **MR. WOODWARD:** Well, I believe that's evidence of  
4           wire fraud. I believe that's evidence of bank fraud.

5           **THE COURT:** Anything else?

6           **MR. WOODWARD:** I have two things right here that  
7           you just asked for rotations, these right here. St.  
8           Joseph Mercy Oakland contract --

9           **THE COURT:** Stop. What are you dealing with now?  
10          What issue?

11          **MR. WOODWARD:** This is -- you asked me for breach  
12          of contract.

13          **THE COURT:** Okay.

14          **MR. WOODWARD:** Okay. This contract is a  
15          third-party beneficiary, states that, "The hospital  
16          clerkship program will include rotations and internal  
17          medicine, surgery, family medicine, pediatrics,  
18          obstetrics, gynecology and electives." It also says --  
19          this contract also says, "The hospital agrees to  
20          provide support services including counseling for  
21          students", this contract right here.

22                 We were never given but two rotations. We were  
23                 supposed to get three but because they didn't start  
24                 their semester late, I missed emergency rotation, so I  
25                 got two: One in internal medicine and another one in

1 family practice. We paid \$12,000 about for this  
2 semester, that's 12 weeks long, and there's only two  
3 doctors that I saw, okay.

4 Now --

5 **THE COURT:** What contract did they breach?

6 **MR. WOODWARD:** What contract? Well, I'm a  
7 third-party beneficiary, I believe, to this contract  
8 that they have between the hospital and me.

9 Both the syllabus and the course guidelines state  
10 the same exact thing. The syllabus and the court  
11 guidelines state out-patient rotations with this  
12 semester. Here's the syllabus, "Start in-depth study  
13 in general clinical sciences, including internal  
14 medicine, surgery, pediatrics, gynecology, obstetrics,  
15 family medicine and pediatrics", we did not get that.

16 Right here, course guidelines, page nine,  
17 rotations and hospital wards, emergency department,  
18 hospital out-patient facility and preceptors:  
19 "Rotation and out-patient either at hospital or  
20 preceptor's office, internal medicine, surgery,  
21 pediatrics, GYNOB, and psychiatry", we received two,  
22 but we paid for six.

23 **THE COURT:** Okay. Here's what we're going to do,  
24 okay, get a piece of paper and note of what I want you  
25 to do, write it down.

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1 I want you to submit, in writing, no more than  
2 three pages for each of these items. I want you to  
3 submit, in writing, your evidence that they falsified  
4 students' grades, that they breached contracts, that  
5 they've committed criminal activities reportable to the  
6 FBI, and they've committed perjury. Got that?

7 **MR. WOODWARD:** Yes, three pages each. That's 15  
8 pages, double spaced?

9 **THE COURT:** No, how many items did you list?

10 **MR. WOODWARD:** Or 12.

11 **THE COURT:** Twelve pages, submit that. Submit  
12 that. Okay. That's what I need. You can go on and on  
13 and on but I want you to focus, be precise, okay. How  
14 much time do you need to do that?

15 **MR. WOODWARD:** Is that 12 pages, plus exhibits or  
16 just 12 pages?

17 **THE COURT:** Just 12 pages.

18 **MR. WOODWARD:** You don't want the exhibits?

19 **THE COURT:** No, you can explain, you know.  
20 Okay. How much time do you need to do that?

21 **MR. WOODWARD:** A week.

22 **THE COURT:** Okay. Fair enough. And submit them  
23 to the Court, with a copy to him so he can respond to  
24 you.

25 **MR. WOODWARD:** Correct.

1           **THE COURT:** Okay. All right. Let me address him  
2           for a moment. What is your version, let him have the  
3           podium, please, of his statement before Magistrate  
4           Judge Hluchaniuk, these documents that you wanted  
5           produce were, in his judgment, produced and you refused  
6           to take them?

7           **RESPONSE BY MR. BUIKEMA**

8           **MR. BUIKEMA:** There is a record, Your Honor. And  
9           if you were to review that record, which would speak  
10          for itself, you will find, number one, that I appeared  
11          at that hearing without an expectation of any  
12          production of any kind because Mr. Woodward had  
13          resisted production up until that time and conditioned  
14          it upon Judge Hluchaniuk's ruling on that date, which,  
15          by the way, was on my Motion to Compel, had nothing to  
16          do with his protective orders. All three of those  
17          protective orders, all three of those requests were  
18          either denied or regarded as moot.

19          I did appear at that hearing. Again, the record  
20          would bear out that Mr. Woodward showed up with this or  
21          something like it, "this", being multiple banker's  
22          boxes, blow-ups, equipment, none of which, in my  
23          estimation, were readily ascertainable or reviewable at  
24          that time.

25          My recollection is I had an afternoon hearing, it



1 was snowing outside, I was alone. And I said, on the  
2 record, when I first saw those materials and that  
3 discussion was first had that, quote, unquote, "I had a  
4 logistical issue with that today, Judge."

5 **THE COURT:** What did that mean to the Judge?

6 **MR. BUIKEMA:** I think -- I took that to mean, and  
7 I intended by saying it, that I can't, myself, carry  
8 out all these boxes to my car or sit here and inspect  
9 them for the remainder of the day. It would take me to  
10 go through them and decipher whether they're responsive  
11 to the request for production --

12 **THE COURT:** But you had made requests?

13 **MR. BUIKEMA:** I did.

14 **THE COURT:** They're going to be produced and they  
15 may be voluminous. So, he's now providing you with  
16 them.

17 **MR. BUIKEMA:** He is. But as the Court has pointed  
18 out, has absolutely nothing to do with the request for  
19 admissions issue.

20 **THE COURT:** I understand that but I'm interested  
21 in knowing why you didn't. I understand maybe on that  
22 day you couldn't.

23 **MR. BUIKEMA:** Yes, exactly, simple logistics. And  
24 then at that hearing -- the subject at that hearing was  
25 to schedule Mr. Woodward's deposition at which time or

1 the notice stated a duces tecum request for all of the  
2 same materials.

3 So, having the benefit of that planning, I  
4 intended to take the documents at his deposition. It  
5 turned out I was sick on the scheduled date of his  
6 deposition, it was adjourned to a future date. When we  
7 appeared at that deposition, my colleague, Mr.  
8 Kittinger covered it, Mr. Woodward produced an exhibit  
9 list and boxes of information. That exhibit list is in  
10 my hand. It contained 816 enumerated items, none of  
11 which is a request for admission responses.

12 It does, however, provide his Certificate of  
13 Diploma from the Army Defense Artery School, it  
14 provides a picture of his aunt and uncle shark fishing,  
15 amongst other things, Judge. But it doesn't have nor  
16 does the boxes that we took from that deposition,  
17 request for admission responses which, of course, were  
18 due several months beforehand anyway. And for which  
19 there's no viable explanation, certainly no good cause  
20 from relief from same and today is the motion for a  
21 dispositive hearing.

22 I said at the hearing with Judge Hluchaniuk on  
23 December 22nd, and it's on the record, that we did not  
24 have an issue with Mr. Woodward's request for admission  
25 responses, even though they were overdo today because

1 the rule takes care of that. There was not an  
2 opportunity to file a motion to compel nor a reason to  
3 file a motion to compel our request for admission  
4 responses, the rule takes care of that. That gave  
5 Mr. Woodward fair notice, that we intended to deem them  
6 admitted.

7 As did our subsequent motions and pleadings in  
8 this case, including this Motion for Summary  
9 Disposition, Judge, which was filed in April stating  
10 this as the basis for the relief sought.

11 Not to this date and including this presentation  
12 today did he request relief in accordance with Rule 36.  
13 Nor did he give basis which would support such relief  
14 under Rule 36.

15 **THE COURT:** Okay. You heard what I've asked him  
16 to do?

17 **MR. WOODWARD:** I did.

18 **THE COURT:** He's going to submit those to you and  
19 I want a response from you within seven days after you  
20 get it as to your disagreement, whatever he says.

21 **MR. BUIKEMA:** I understand, Your Honor, and I will  
22 do that. May I address his other statements in very  
23 brief fashion?

24 **THE COURT:** What other statements?

25 **MR. BUIKEMA:** I think to summarize, and I think

1 the Court has seen this, what Mr. Woodward perceives as  
2 conspiracies, as perjury, as crimes, and what actually  
3 are those things or what legally constitute such things  
4 as a breach of contract, are two vastly different  
5 things.

6 And when Mr. Woodward uses that vernacular, in his  
7 own mind, there's no injury; when Mr. Woodward  
8 publishes that on the worldwide web, that's defamation.  
9 And it makes no difference that he's ignorant of the  
10 law. It makes no difference that he's ignorant to the  
11 proceedings, he's held to the same standard as are we  
12 all. And it makes no difference that he misunderstands  
13 the meanings of those terms.

14 Just for example, and only by example, he  
15 continually says, "Breach of contract", Judge, that  
16 matter is resolved as a matter of law. That was a  
17 claim in a State Court case that was dismissed and  
18 upheld on appeal. He knows that when he publishes it,  
19 that publication is still there today.

20 In relationship to the crimes that he claims my  
21 client has committed, he offers no evidence. He offers  
22 --

23 **THE COURT:** He's going to do that, okay. Wait  
24 until you see what he says and then you can respond to  
25 it.

1           **MR. BUIKEMA:** Let me just say one thing, on the  
2 sexually assaulted issue, which is particularly  
3 insulting. If you were to take the time to review the  
4 videos narrated, produced by Mr. Woodward and published  
5 on his website or any links to companion websites such  
6 as Youtube, he says such things as, quote, unquote,  
7 "AUA's blatant lies, bias, false evidence,  
8 intentionally endanger your life or that of your  
9 children", that is a quote from one of his videos.

10           That, "AUA commits the crime of reckless  
11 endangerment", a direct quote from one of his videos.  
12 He is accusing us of risking life and limb and of  
13 potentially exposing students or the parents of  
14 students, children, to death or sexual assault.

15           He goes on to describe in these videos the manner  
16 in which the particular student was raped. He's  
17 discussing graphically, penis in the face, removal of  
18 the painty, et cetera, et cetera. It's appalling and  
19 it has got to stop.

20       **RESPONSE BY MR. WOODWARD**

21           **MR. WOODWARD:** Your Honor, to address those. I  
22 did have every intention to provide you, like I've  
23 said, all of his documentation. I notified him when my  
24 motion was dismissed on 12-16, copying here what I was  
25 going to bring to court, including admissions,

1 including interrogatories, including every piece of  
2 documentation that he requested, it was one box.

3 He had to look at a fiber-optic training device  
4 and take a box. That's all he had to do, pick up a box  
5 and leave. When he came on February 1st, I have video  
6 of him taking a box. And when he left on February 1st,  
7 he didn't take his interrogatories either.

8 As far as reckless endangerment, Your Honor, this  
9 is my patient log --

10 **THE COURT:** What about this last statement about  
11 the sex, he stated you published detailed descriptions?

12 **MR. WOODWARD:** Your Honor, that's public  
13 information.

14 **THE COURT:** So what?

15 **MR. WOODWARD:** What it is --

16 **THE COURT:** Why do you want to put that out there?

17 **MR. WOODWARD:** Because it's already out there.  
18 It's featured in Antigua News.

19 **THE COURT:** Why do you want it?

20 **MR. WOODWARD:** Because it's the Clery Act and  
21 Public Law 101542. They don't state anything on their  
22 -- Your Honor, that school has been in business for six  
23 years when this student died.

24 **THE COURT:** What does that have to do with my last  
25 question?

1           **MR. WOODWARD:** Why would I want to put it out  
2 there?

3           **THE COURT:** Why would you want to put graphic  
4 detail?

5           **MR. WOODWARD:** You can read it on the newspaper.  
6 That's exactly what's read.

7           **THE COURT:** I don't think it should be in the  
8 newspaper. Why do you want it out there?

9           **MR. WOODWARD:** So students know what's going on at  
10 Antigua.

11           **THE COURT:** They need to know the graphics?

12           **MR. WOODWARD:** You need to know what's going on at  
13 Antigua.

14           **THE COURT:** Why do you think papers put out stuff  
15 with graphic detail, why does the Enquire do that? No  
16 good purpose except to sell.

17           **MR. WOODWARD:** I don't sell anything.

18           **THE COURT:** I understand.

19           **MR. WOODWARD:** I sell nothing.

20           **THE COURT:** I don't know why you think you need to  
21 put that out there like that.

22           **MR. WOODWARD:** This right here, as far as reckless  
23 endangerment, I cannot read this to you because this is  
24 a HIPAA violation that I have it, but I will give it  
25 to you. And if you read this section of which I gave

1           them, according to my patient logs, these are my  
2           patient logs, they exposed us to pathogen --

3           **MR. BUIKEMA:** Now, hold on, if he's acknowledging  
4           that he's got private and federally protected patient  
5           information, I don't want to disclose it in any way,  
6           shape, or form on this record.

7           **MR. WOODWARD:** I never planned on it. I just have  
8           it for the Judge --

9           **THE COURT:** I don't need it. You know what I want  
10          from you.

11          **MR. WOODWARD:** I'm just covering his reckless  
12          endangerment, that's just part of it.

13          **THE COURT:** This session has now ended and you'll  
14          --

15          **MR. WOODWARD:** Your Honor, could I take five  
16          minutes of time to show a video, which you promised  
17          last August 11th, that I could show?

18          **THE COURT:** What are you going to show that has  
19          relevance? I'm concerned that you're presenting so  
20          much stuff that's not relevant, you think it is, but it  
21          isn't. But hold on one minute. I think I'm going to  
22          answer your question, but I've got to take a break  
23          before we do it. Want to set it up? Five-minute  
24          video?

25          **MR. WOODWARD:** Yes.



1           **THE COURT:** You're equipped to do it?

2           **MR. WOODWARD:** Yes.

3           **THE COURT:** What's going on with your matter? I'm  
4 going to take a ten-minute recess.

5           (A break was taken from 3:50 p.m.to 4:10 p.m.)

6           **THE COURT:** All right. You have a video. You  
7 want to tell me briefly what this video is?

8           **MR. WOODWARD:** According to Fox News New York,  
9 this is statements by students from the American  
10 University of Antigua Nursing School?

11          **THE COURT:** A statement by a student?

12          **MR. WOODWARD:** This is an interview by a news  
13 reporter of nursing students.

14          **THE COURT:** One student?

15          **MR. WOODWARD:** Three.

16          **THE COURT:** Three students, done by a reporter?

17          **MR. WOODWARD:** Done by a reporter?

18          **MR. BUIKEMA:** I retain an objection, Your Honor,  
19 it's not admissible. It's hearsay under 802 and not  
20 admissible under 803, nor is it relevant to the issues  
21 in this proceeding.

22          **THE COURT:** I'll watch it and obviously if I don't  
23 think it's relevant, I'll so rule.

24                               - - -

25           **(Video played by Mr. Woodward at 4:11 p.m.)**

1 - - -

2 **THE COURT:** Now, tell me why a nursing program at  
3 that school, which may have some deficiencies and did  
4 not allow the nurses in New York to take the exam, has  
5 any relevance to your claim against you about  
6 publishing matters that they don't believe you should  
7 publish?

8 **MR. WOODWARD:** Are these students not saying,  
9 "We've been robbed"? Are they not saying, "We should  
10 expose the situation?" Did it take a news reporter to  
11 get it exposed?

12 **THE COURT:** What does that have to do with your  
13 issue? What does that have to do with you?

14 **MR. WOODWARD:** And is it not printed under 20  
15 U.S.C. 10118 that an organization, that a class, that a  
16 program should -- that a program should meet its  
17 educational goals?

18 **THE COURT:** It said that they could take the exam  
19 in Florida.

20 **MR. WOODWARD:** Not in their home state. Their  
21 head office is in Wall Street, New York and they can't  
22 sit for the medical exam in their own state that they  
23 practice in. Should that program have been set up, day  
24 one? Should that program had been taken care of day  
25 one?

1           **THE COURT:** I have no idea. I'd have to have a  
2 trial. I'd have to have witnesses. I'd have to hear  
3 the school's side of the story and even then, it isn't  
4 relevant to the claims that are involved in your case.  
5 You're going all over the place to show that it's a bad  
6 school, that's not the issue.

7           **MR. WOODWARD:** Your Honor, the very first class  
8 that they had at St. Joseph Mercy Hospital that I was  
9 at, they didn't give us shelf exams, they changed my  
10 grade from an 80 to an "F", they didn't give us the  
11 rotations that they promised. I can show you over 20  
12 changes to a schedule. Some of the changes, the  
13 Thursday before you have an exam, we need to know an  
14 entire, like, dermatology tomorrow. Tomorrow? "Okay,  
15 guys, you need to know this information", it wasn't  
16 even scheduled.

17           **THE COURT:** You're obviously a very disgruntle  
18 person and you believe that they operate in a deficient  
19 manner, maybe they do, maybe they don't, it doesn't  
20 have anything to do with the precise issue in this  
21 case. You either published defamatory stuff that you  
22 shouldn't have or you didn't. And if you did, you  
23 should be accountable for it; if you didn't, then you  
24 should be able to publish it. That's what the case is  
25 about.

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1           **MR. WOODWARD:** Correct.

2           **THE COURT:** Not about the nursing program. You're  
3 bringing in all these other things.

4           **MR. WOODWARD:** Does it support my case?

5           **THE COURT:** Doesn't support your case at all.  
6 Either you published defamatory statements or you  
7 didn't.

8           **MR. WOODWARD:** Is that moral and ethical to have a  
9 program and somebody go down to Antigua?

10          **THE COURT:** I have no idea.

11          **MR. WOODWARD:** That's what they're telling me.  
12 That's what they're claiming in their defamation that  
13 they don't lie. These students right here did say that  
14 they lied.

15          **THE COURT:** Each one of the claims, all right,  
16 that's what we're talking about, not, you know, a  
17 deficient nursing program.

18          **MR. WOODWARD:** Being cheated? Your Honor, these  
19 guys, under Rule 34, haven't even given me my own  
20 student records which are guaranteed by law for  
21 discovery, they haven't even given me that and yet I'm  
22 being accused for answering admissions.

23          **THE COURT:** No, for not answering.

24          **MR. WOODWARD:** In a timely fashion. And Your  
25 Honor, can I show you my admissions versus their

1 admissions?

2 **THE COURT:** No.

3 **MR. WOODWARD:** Because that's so bias, they  
4 answered the same objection that wasn't covered in  
5 anything and 66 percent of the admissions that I asked  
6 him, he objected exactly the same way for his  
7 admissions.

8 **RESPONSE BY MR. BUIKEMA**

9 **MR. BUIKEMA:** For completeness of the record, Your  
10 Honor, can I ask for the date of the news report and  
11 also the date of first publication of Mr. Woodward's  
12 website?

13 **THE COURT:** Of this publication?

14 **MR. BUIKEMA:** Of this publication.

15 **THE COURT:** Can you answer his questions?

16 **MR. WOODWARD:** I don't know what that is or the  
17 exact publication of the website either.

18 **MR. BUIKEMA:** I'll submit, if you were to review  
19 the same, this news report is several years after  
20 Mr. Woodward makes the claims that he makes on his  
21 website.

22 **MR. WOODWARD:** And they haven't got it processed  
23 right yet since.

24 **MR. BUIKEMA:** It's not about us being good or bad  
25 or making mistakes or not making mistakes, that might

1 be fair game, in which somebody, including Mr. Woodward  
2 chooses to point that out.

3 But when you accuse my client of crimes,  
4 conspiracy, fraud, breach of contract, student sexually  
5 assaulted, these types of things are well beyond the  
6 protection of any law and order.

7 **THE COURT:** All right. As I indicated, the Court  
8 is in recess and you know what I want from you in  
9 response, submit it.

10 (Whereupon proceedings concluded at 4:22 p.m.)

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C E R T I F I C A T I O N

I, Nefertiti A. Matthews, official court reporter  
for the United States District Court, Eastern District of  
Michigan, Southern Division, appointed pursuant to the  
provisions of Title 28, United States Code, Section 753,  
do hereby certify that the foregoing is a correct  
transcript of the proceedings in the above-entitled cause  
on the date hereinbefore set forth.

I do further certify that the foregoing  
transcript has been prepared by me or under my direction.

Date: February 7, 2012

s:/Nefertiti A. Matthews  
Nefertiti A. Matthews,  
Official Court Reporter

- - -